

PATENT

AUG 11 2005

Docket No.: 1233-5266

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Shinichi HARA

Serial No.: 10/766,258

Filed: January 27, 2004

Group Art Unit: 2851

Confirmation No. 4150

Examiner: Nelson, Vivian Hsu

For: ILLUMINATION APPARATUS, PROJECTION EXPOSURE APPARATUS, AND  
DEVICE FABRICATING METHOD

**CERTIFICATE OF FACSIMILE TRANSMISSION**

Mail Stop Amendment  
COMMISSIONER for PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that the following item(s):

1. Response to Restriction Requirement

is/are being transmitted pursuant to 37 C.F.R. §1.8 by facsimile on the date indicated below to  
Examiner Nelson, Vivian Hsu of Group Art Unit 2851 at the following facsimile number: (571)  
273-8300. Transmission Total: 4 pages (including this cover sheet).

Respectfully submitted,  
MORGAN & FINNEGAN, LLP

Date: August 11, 2005

By:

  
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937944 v1

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**RESPONSE TO REQUIREMENT FOR RESTRICTION/ELECTION**

Sir:

In response to the Official Action dated July 14, 2005 in which pending claims 1-14 are subject to a Restriction and/or Election Requirement and, Applicant respectfully submits the following response.

**I. The Examiner's Restriction/Election Requirement**

The Examiner has determined that this application contains claims directed to four groups of patentably distinct invention:

Group A: Claims 1-7 and 10-14, drawn to an exposure apparatus and absorption/blocking member, classified in class 355; and

Group B: Claims 8 and 9, drawn to holder, classified in class 269.

**II. Applicant's Election**

Applicant provisionally elects to pursue prosecution of (1) Group A claims (i.e. claims 1-7 and 10-14).

**II. Applicant's Traversal**

This election is made with traverse. Applicant respectfully submits that (1) all groups of claims are properly presented in the same application; (2) undue diverse searching should not be required; and (3) all claims should be examined together. For the foregoing reasons, it is respectfully submitted that the election requirement should be withdrawn and an action on the merits of all the originally presented claims is respectfully solicited.

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Appl. No. 10/766,258  
Response dated August 11, 2005  
In Reply to Office Action of July 14, 2005

Docket No. 1232-5266

If any issues exist, or if the Examiner has any suggestions for expediting allowance of the application, the Examiner is invited to contact the undersigned at the telephone number below.

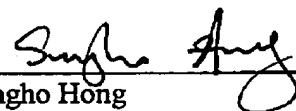
**AUTHORIZATION**

No fee is believed due for this response. The Commissioner, however, is hereby authorized to charge any fees which may be required for this response to Deposit Account 13-4500, Order No. 1232-5266.

Respectfully submitted,  
MORGAN & FINNEGAN, L.L.P.

Dated: August 11, 2005

By: \_\_\_\_\_

  
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Appl. No. 10/766,258  
Response dated August 11, 2005  
In Reply to Office Action of July 14, 2005

Docket No. 1272-5266

If any issues exist, or if the Examiner has any suggestions for expediting allowance of the application, the Examiner is invited to contact the undersigned at the telephone number below.

**AUTHORIZATION**

No fee is believed due for this response. The Commissioner, however, is hereby authorized to charge any fees which may be required for this response to Deposit Account 13-4500, Order No. 1232-5266.

Respectfully submitted,  
MORGAN & FINNEGAN, L.L.P.

Dated: August 11, 2005By: 

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